



ORIGINAL

**AN ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF SUNNYSIDE, WASHINGTON, AMENDING
CHAPTERS 5.21, 5.52 AND 13.20 OF THE SUNNYSIDE
MUNICIPAL CODE REGARDING FEES AND CHARGES**

WHEREAS, city staff has been in the process of moving all rates and charges to Title 2 of the Sunnyside Municipal Code; and

WHEREAS, Chapters 5.21 and 5.52 SMC have been reviewed and amended to remove such fees and charges language; and

WHEREAS, Chapter 13.20 SMC has been reviewed and amended to remove all such fees and charges language; and

WHEREAS, the City Council finds that adoption of such amendments is in the best interests of residents of the City of Sunnyside and will promote the general health, safety and welfare.

NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF SUNNYSIDE, WASHINGTON, as follows:

Section 1. Chapters 5.21 and 5.52 SMC are hereby amended and shall read as shown on Exhibit "A" attached hereto and incorporated herein by this reference.

Section 2. Except as amended herein, Title 5 SMC shall remain unchanged.

Section 3. Chapter 13.20 SMC is hereby amended and shall read as shown on Exhibit "B" attached hereto and incorporated herein by this reference.

Section 4. Except as amended herein, Title 13 SMC shall remain unchanged.

Section 5. This Ordinance shall be effective five days after passage, approval and publication as required by law.

PASSED this 12th day of December, 2016.



JAMES A. RESTUCCI, MAYOR

ATTEST:



DEBORAH A. ESTRADA, CMC, CITY CLERK

APPROVED AS TO FORM:



KERR LAW GROUP, PLLC
Attorneys for the City of Sunnyside

Chapter 5.21**MOBILE VENDORS AND VENDING STANDS**

Sections:

- 5.21.010 Definitions.
- 5.21.020 Location – Zoning – Site standards.
- 5.21.030 Facility standards.
- 5.21.040 Standards of operations.
- 5.21.050 Parking requirements.
- 5.21.060 Utilities.
- 5.21.070 License required – Fees.
- 5.21.080 Violation – Penalty.

5.21.010 Definitions.

The following definitions apply to this chapter:

A. “Cart” means a mobile, nonmotorized vending device, which is intended to be pushed, pulled or otherwise similarly transported by an operator or vendor during the normal course of business operation.

B. “City” means the City of Sunnyside.

C. “Mobile vendor” means a vending operation or business, which is based within or upon a motorized mobile vehicle of any type.

D. “Vending facility” means the structure or vehicle or other physical establishment within which the primary vending operation takes place.

E. “Vending operation or business” means any business enterprise operated for the purpose of selling, providing or offering goods or services from or at a temporary location.

F. “Vending or catering stand” means a temporary vending operation shelter, which is not motorized and requires on-site assembly.

G. “Vendor” means any person who sells goods or services from a mobile or nonpermanent business establishment. [Ord. 2048 § 1, 2002.]

5.21.020 Location – Zoning – Site standards.

A. Zones – Commercial and Industrial. Mobile vending businesses are permitted within any B-1, B-2, B-3, M-1 or M-2 zone within the City; provided, that all other conditions of approval are met and accomplished. No mobile vending facility or operation shall be permitted to stand, operate, or locate within any public right-of-way except as permitted to do so during designated public events and celebrations.

B. Zones – Residential. Vending operations may be permitted by the Planning and Community Development Director within residentially zoned districts; provided, that all of the following conditions are met:

1. The vending operation shall not stand in any place longer than is necessary to transact immediate business. In no event shall the operation stand longer than five minutes in any given location.
2. The vending operation shall not utilize loud music or other noises in the sale of goods or services, which music or noise may be considered to be a nuisance to residents. Noise complaints may result in the immediate revocation of the vendor's license.
3. The vending operation shall not stop, block or otherwise hinder or obstruct the normal flow of vehicular or pedestrian traffic.
4. The vending operation shall not operate earlier than 9:00 a.m. nor later than one-half hour prior to sunset.

C. Setbacks. No mobile vendor shall locate a vending operation within any established intersection visibility zones. "Intersection visibility zone" means the triangle formed between two points that are 30 feet away from the point of intersection along both intersecting street rights-of-way at a corner.

Mobile vending operations that are permitted to collocate on the site of an existing permanent business use must not be closer to any public right-of-way than the face of the permanent business nearest that right-of-way.

Mobile vending operations that are permitted to locate on vacant property must not locate closer to the right-of-way than the average setback of the two nearest businesses on either side of the vacant property.

D. Signs. Signs must be permanently attached to the vending facility and must conform to City sign regulations for commercial uses. No freestanding or temporary signs are permitted in connection with the vending operation.

E. Lighting. All lighting must be permanently or semi-permanently affixed to the vending facility.

No lighting shall be permitted to shine on or into any public right-of-way or other private property, or cause any glare that could be considered a public hazard, nuisance or distraction to vehicular movement, neighboring business operations, or residential uses.

F. Waste Handling. All vending operations are required to provide waste disposal containers within 20 feet of the vending facility. All waste receptacles shall be maintained in a clean state and shall be removed from the business location and emptied each night.

One waste receptacle for patron use only may be placed at either end of the facility but not closer to the street than the face of the vending operation as established in

subsection (C) of this section. This receptacle must be of good quality and appearance or screened in some manner so as to not present an unsightly appearance.

A second waste receptacle for the use of employees of the facility will be allowed but must be located behind the facility so as not to be visible from any public street.

Vendors are responsible for the proper disposal of trash, debris, wastewater, food waste and other waste generated by the vending operation in approved locations. A specific site for the dumping of each and all waste materials, including but not limited to waste products, refuse, trash, debris, food waste and wastewater, must be designated by the vendor at the time of permit application. Wastewater, including all liquid wastes, gray water and mop water must be discharged into the City wastewater sewer system; provided, that such wastewater meets applicable City wastewater discharge standards, or into an approved on-site sewage disposal or holding system, or other approved disposal site. Dumping or disposal of waste at other than approved specific sites may result in the immediate revocation of the vending license.

All vendors shall:

1. Properly store and dispose of all garbage, rubbish and litter in and around the vending operation. Storage prior to disposal shall be in containers that are:
 - a. Durable;
 - b. Easily cleanable;
 - c. Insect and rodent proof;
 - d. Nonabsorbent;
 - e. In sound condition;
 - f. Watertight; and
 - g. Kept covered with tight fitting attached lids except when stored in a closed, pest-proof room or enclosure.
2. Dispose of liquid wastes as wastewater when collected from:
 - a. Leaking garbage containers;
 - b. Garbage compacting operations; or
 - c. Cleaning operations.
3. Store all other rubbish in containers or other areas in a manner approved by the City.
4. Use rooms, enclosures, areas and containers adequate in size and number for garbage storage.

5. Prevent overflows and nuisances caused by garbage, rubbish and litter by:

- a. Ensuring frequent disposal;
- b. Providing adequate cleaning facilities; and
- c. Ensuring that containers, rooms and areas are cleaned as needed.

G. Sanitary Requirements.

1. Food service vendors shall ensure toilets for food workers are:

- a. Provided within the food service establishment; or
- b. Convenient to food workers and within 200 feet of the food service establishment.

2. Food service vendors shall ensure toilet facilities for patrons are provided within, or convenient to, the food service establishment.

3. Toilet facilities may be used jointly by patrons and food service workers, provided patrons accessing the facility are excluded from food preparation and storage areas.

4. Food service vendors shall ensure all toilet facilities are:

- a. Of sanitary design;
- b. Kept clean;
- c. In good repair;
- d. Provided with toilet paper; and
- e. Provided with easily cleanable waste storage receptacles.

5. Food service vendors shall ensure hand sinks are:

- a. Accessible to food workers at all times;
- b. Located to permit convenient use by all food workers in food preparation, food service, and utensil washing areas, and in, or immediately adjacent to, toilet facilities; and
- c. Used exclusively for hand washing.

6. Food service workers shall be responsible for maintenance of hand sinks designated for use by food service workers and patrons and ensure each hand sink is:

- a. Provided with hot running water (at a minimum of 100 degrees Fahrenheit) and cold running water provided through a mixing faucet;
- b. Provided with hand soap;

- c. Provided with single use towels or other approved drying devices; and
- d. Kept clean and in good repair.

7. Food service vendors shall ensure hand operated automatic faucets have a minimum cycle of 15 seconds. [Ord. 2055 § 1, 2003; Ord. 2048 § 1, 2002.]

5.21.030 Facility standards.

All vending facilities must include an appropriate fire suppression mechanism or system that is inspected and approved by the City Fire Marshal prior to issuance of any permit. Fire extinguishers and/or other suppression system components must be checked and certified annually by a licensed service provider. All vending facilities licensed and permitted under this chapter shall be subject to inspection at any time during hours of vending facility operation by the City Fire Department and other City departments charged with enforcement or administration of this chapter.

A. Food Vending Facilities. Where applicable, food service vendors shall:

1. Ensure floors and floor coverings in all areas are:
 - a. Constructed of easily cleanable materials;
 - b. Kept clean;
 - c. In good repair; and
 - d. Covered at the floor/wall junctures, except for carpeted areas.
2. Provide proper construction of floors and floor coverings with the following characteristics:
 - a. Water-impervious construction;
 - b. Grease resistance;
 - c. Durability; and
 - d. Drains provided when water or pressure spray methods of cleaning are used in any of the following areas:
 - i. Food preparation areas;
 - ii. Food and utensil storage areas;
 - iii. Utensil washing areas.
3. Ensure walls, windows, doors and ceilings in all areas are clean and in good repair.
4. Ensure that walls are constructed with the following characteristics:
 - a. Smooth finish;

- b. Nonabsorbent surfaces; and
 - c. Construction with easily cleanable materials in food preparation areas, utensil washing areas, and bathrooms.
5. Ensure design, installation and maintenance of ventilation systems in accordance with applicable State and local mechanical and fire codes; and
- a. Provide ventilation systems, when necessary, to keep all areas free of excessive:
 - i. Heat;
 - ii. Steam;
 - iii. Condensation;
 - iv. Fumes and vapors;
 - v. Obnoxious odors; and
 - vi. Smoke.
 - b. Design and maintain ventilation hoods and filters to:
 - i. Prevent grease and condensate from dripping into food or onto food contact surfaces; and
 - ii. Allow ready removal of filters for cleaning and replacement.
6. The owner of a mobile food vending facility with a water supply system shall ensure:
- a. All liquid waste is stored in a wastewater retention tank with at least 15 percent more capacity than the water tank; and
 - b. Wastewater is retained on the mobile food unit until disposed of by a method approved by the City.
7. The vendor shall separate grills and barbecues from public access by using ropes or other approved methods. [Ord. 2055 § 1, 2003; Ord. 2048 § 1, 2002.]

5.21.040 Standards of operations.

A. Hours of Operation. No temporary vending business shall be permitted to operate for more than 12 hours during any day.

B. Length of Stay. Mobile vendors and cart operators shall remove all equipment and debris from the site of business at the close of each business day.

Operators of vending or catering stands may be permitted to "stand" for up to six days per calendar year, but may not exceed three consecutive standing days at a single location at any time; provided, however, that days such operators of vending or catering

stands "stand" in community-wide events such as Sunshine Days or Cinco de Mayo, for which a single event license is approved as provided in SMC 5.20.060, shall not count as days used toward the six-day or three-day limitation above.

Christmas tree sales lots are exempt from the length of stay requirements; provided, however, that such exemption shall apply to Christmas tree sales lots only from Thanksgiving Day through Christmas Day each year.

C. Equipment. All exterior equipment and supplies (such as, but not limited to, waste receptacles, propane tanks, food storage and signs) associated with a vending business must be screened from public view and positioned so as not to create a public hazard or nuisance.

Vendors are permitted to provide one table for patron use which is limited to eight feet in length (similar in size and proportion to a typical picnic table). The permitted table must be screened from public roadways and may not incorporate umbrellas or other such devices intended to provide shade which are not permanently attached to the facility itself. Two smaller tables may be mechanically joined together in such a way that they cannot be separated into two tables by patrons and so long as the combined length does not exceed eight feet.

Freestanding awnings, canopies, umbrellas, etc., are prohibited. All such devices shall be permanently attached to the vending facility and fully supported thereby. Vending carts are allowed to utilize canopies or umbrellas which are permanently attached to, and fully supported by the cart. Cart canopies are permitted to overhang the outside edge of the cart by no more than two feet on each side.

D. Condition and Maintenance. The temporary facility must at all times maintain an orderly appearance and be free of debris. All exterior surfaces shall be maintained in a clean and sound condition in both material and finish, and free of nonpermanent attachments.

Vendors shall maintain their facility by allowing only articles necessary for operation and maintenance of the facility to be stored there and shall prohibit use of any portion of the facility as living or sleeping quarters.

All permanent attachments, including but not limited to signs, lights, overhangs, and awnings, shall be maintained and positioned in such a manner as to not create a hazard to pedestrians, customers or vehicles.

Exterior trash receptacles not intended for customer use shall be screened from public view and must be covered with a properly fitting lid.

The owner of food vending operation shall construct facilities so as to minimize public access to the food preparation areas, dust, mud, and overhead contamination. [Ord. 2055 § 1, 2003; Ord. 2048 § 1, 2002.]

5.21.050 Parking requirements.

The following are minimum parking space requirements for the following:

A. Food Vendors. One parking space per employee, plus two spaces per service window.

B. All Other Standing Vendors. One parking space per employee, plus four spaces for customers. [Ord. 2048 § 1, 2002.]

5.21.060 Utilities.

All temporary vending facilities shall be self-contained and will not be permitted to connect to any utility service for electricity, water, sewer or gas except that a vendor may be permitted to connect to a temporary electrical service by way of a service cord which meets State Department of Labor and Industry standards for such temporary connection to a power source, and is not longer than 20 feet in length; and except that a temporary vending facility may be permitted to connect to exterior water service if such connection is not more than 20 feet in length, with approved water line. [Ord. 2055 § 1, 2003; Ord. 2048 § 1, 2002.]

5.21.070 License required – Fees.

A. Requirements. All license applications for mobile vending operations must be approved and a license issued prior to conducting business within the City. No person or entity may operate any mobile vending or vending stand business as defined and included in this chapter without a license.

Any person or entity desiring to conduct such business must submit a complete application and appropriate fee to the City. The application must include the following: (1) site plan drawn to scale showing the proposed location of the business operation on the site, the site address, the property owner's name and address, site and/or facilities used for sewage and waste disposal; (2) availability and location of restrooms for food service workers; (3) location of the base of operation, food preparation or commissary; (4) location of required parking spaces; and (5) any other information deemed necessary or appropriate by the City to facilitate review of the proposed business or business facilities or location.

Upon acceptance of an application deemed complete by the City, together with the required fee, the City will review such application and may permit, deny or conditionally approve in order to meet the requirements and purposes of this chapter.

B. Fees. Fees are established for each type of mobile vending operation as set forth in SMC 2.02.020.

[Ord. 2048 § 1, 2002.]

5.21.080 Violation – Penalty.

Any violation of this chapter shall be grounds for immediate revocation of all licenses and permits issued by the City to the vending business and shall constitute an infraction subjecting the violator to a civil penalty of up to \$500.00 for each violation. [Ord. 2048 § 1, 2002.]

Chapter 5.52**FEES FOR BUSINESSES OPERATING WITHIN THE CITY**

Sections:

- 5.52.010 Created.
- 5.52.015 Definition – Business.
- 5.52.020 Fee schedule.
- 5.52.030 Exemptions.
- 5.52.040 Payment – When – Late – Penalty.
- 5.52.050 Finance Director – Authority.
- 5.52.060 Separate licenses required – Exceptions.

5.52.010 Created.

There is created a business license fee for all businesses situated within the City or doing business within the City limits of the City. It shall be unlawful for any person to operate or do business within the City when said license fee is unpaid.

As a condition of any and all business licenses issued by the City, it shall be a requirement that the operator of the business comply with federal, state and local laws, regulations and licensing requirements. [Ord. 2012-6 § 1, 2012; Ord. 1765 § 1, 1991; Ord. 1518 § 1, 1985; Ord. 1299 § 1, 1980.]

5.52.015 Definition – Business.

As used in this chapter, the term “business” means all vocations, occupations, professions, and activities which are conducted for private profit, directly or indirectly. The term “business” does not include schools, recognized churches, or other not-for-profit organizations which are recognized by the Internal Revenue Service as nontaxable entities. The term “business” does include medical marijuana dispensaries, collective gardens and other entities authorized or regulated by Chapter 69.51A RCW, as presently enacted or hereafter amended, regardless of whether said entities or organizations are not-for-profit or otherwise nontaxable. [Ord. 2012-6 § 2, 2012.]

5.52.020 Fee schedule.

The fee for said businesses shall be based on a per-employee amount which shall be determined as follows:

For the purpose of this section, volunteers, members and owners shall be counted as employees. The number of employees shall be determined as the sum of the number of full-time regular employees and the number of hours worked by part-time, temporary and seasonal employees during the previous calendar years (or for new businesses, the number of hours estimated to be worked by part-time, temporary and seasonal employees during a calendar year) divided by 2080 hours, and rounded to the nearest integer. [Ord. 2012-6 § 2, 2012; Ord. 2180 § 1, 2007; Ord. 1518 § 2, 1985; Ord. 1299 § 2, 1980.]

5.52.030 Exemptions.

All businesses which are subject to the City franchise tax are exempt from the business license fee. Out-of-town businesses which sell advertising or which sell goods, merchandise or other items wholesale to businesses licensed within the City are also exempt from the business license fee.

All businesses which are subject to specific licensing tax, fee and/or permit provisions of the other chapters of this title are exempt from complying with the provisions of this chapter in addition to the compliance with the provisions of such other chapter(s); provided, that the businesses are in full compliance with the provisions of such other chapter(s); and further provided, that the business involves no activities other than those which are addressed, regulated or provided for in such other chapter(s); provided, that the requirement for a business to obtain a general business license under this chapter does not relieve the business from the requirement to obtain a special license or permit under the other chapters of this title, where the business engages in conduct regulated, provided for or addressed in such other chapters. [Ord. 2012-6 § 3, 2012; Ord. 1617, 1967; Ord. 1555, 1986; Ord. 1395 § 1, 1983; Ord. 1299 § 3, 1980.]

5.52.040 Payment – When – Late – Penalty.

The business license fees, as set forth in SMC 2.02.020, shall be payable annually during the month of January and shall be delinquent if not paid on or before the first day of March of each year; provided, that license fees for new businesses operating within the City shall become delinquent if not paid within two months of the business commencing its operation within the City. For each business whose license fee becomes delinquent, there shall also be charged a late penalty in the additional amount of 50 percent of the business license fee which would otherwise be payable and which penalty shall be in addition to the other remedies and actions available to the City to enforce its ordinance. [Ord. 1776 § 3, 1992; Ord. 1395 § 3, 1985; Ord. 1299 § 4, 1980.]

5.52.050 Finance Director – Authority.

The Finance Director is authorized to institute procedures for ascertaining the number of employees present in all businesses within the City or doing business within the City and to implement these procedures in order to give notice to the businesses in time for them to pay their license fee by January 1st of each year. The Finance Director is further authorized, within his discretion, to waive late penalties for delinquent license applications upon consideration of factors involved therewith, including but not limited to the following:

- A. The length of time involved in the performance of contracts or duties by contractors or persons engaged in similar enterprises dependent upon the award of contracts;
- B. Seasonal or temporary occupations or operations;
- C. Businesses or occupations which are unable to predict or anticipate whether or not the businesses will be in existence at the time the business license fee would otherwise become delinquent; and

D. Instances where the owner or operator of the business may not have received the business license application or renewal in a timely manner. [Ord. 1566 § 1, 1986; Ord. 1299 § 5, 1980.]

5.52.060 Separate licenses required – Exceptions.

Separate licenses shall be obtained for each place of business, or branch thereof, except when such businesses are served by one set of business records or books. It is further provided that when a business moves from one location to another location within the City, the business license shall be reviewed in light of the change of location and shall be subject to approval for code compliance prior to occupancy. [Ord. 1700 § 1, 1990; Ord. 1299 § 6, 1980.]

Chapter 13.20**RATES AND CHARGES**

Sections:

- 13.20.010 Water – Schedule of charges for service and consumption.
- 13.20.015 Minimum monthly rate.
- 13.20.020 Water – Consumption charges inside the City.
- 13.20.025 Intermittent service – Abandonment – Reinstatement – Fees.
- 13.20.030 Water – Service charge billings to be determined by meter size.
- 13.20.040 Water – Service rates outside City limits.
- 13.20.050 Reinstatement of water service after turning off for nonpayment.
- 13.20.060 Water – Tampering with turn-on valve prohibited – Penalty for violation.
- 13.20.070 Water – Multiple unit charges.
- 13.20.080 Water – Joint users charges.
- 13.20.090 Public sewer service – Schedule A – Monthly.
- 13.20.100 Public sewer service – Charges outside of City limits.
- 13.20.110 Low-income senior citizen and low-income disabled citizen special utility rates – Eligibility – Application.
- 13.20.120 Water system equity fees – Meter installation costs.
- 13.20.130 Sewer system equity fees.
- 13.20.140 Billings of water, sewer and garbage service.
- 13.20.150 Fire hydrant meters – Rental agreement – Fees.
- 13.20.160 Pretreatment charges and fees.
- 13.20.170 Severability.
- 13.20.180 Conflicts.

13.20.010 Water – Schedule of charges for service and consumption.

The charges for service and domestic water consumed by customers inside and outside the corporate limits of the City shall be upon the applicable schedule set forth on the schedule of fees and charges in Title 2, section 2.02.020, effective June 1, 1983. [Ord. 2009-24 § 1 (Exh. A), 2009; Ord. 2205 § 1, 2008; Ord. 2181 § 1, 2007; Ord. 1399 § 1, 1983; Ord. 1252 § 2, 1980; 1956 Code § 3-501, § 701.]

13.20.015 Minimum monthly rate.

The minimum monthly rate for water service shall be the applicable meter charge as established from time to time and set forth on the Schedule of Fees and Charges in Title 2, section 2.02.020. The minimum monthly charge shall include the first 300 cubic feet of water usage each month. All water usage above 300 cubic feet per month shall be charged at the consumption charge rates set forth in SMC 2.02.020. [Ord. 2015-1 § 5, 2015; Ord. 2009-24 § 1 (Exh. A), 2009; Ord. 2205 § 1, 2008; Ord. 2181 § 1, 2007; Ord. 2108 § 1, 2005.]

13.20.020 Water – Consumption charges inside the City.

For water delivered, based upon monthly meter readings, billings shall be in accordance with the table located at SMC 2.02.020. The monthly rate shall be the applicable minimum monthly meter charge plus a consumption charge.

No charge shall be made for water delivered to fire sprinkler systems for firefighting purposes; however, the entire installation of a separate service connection including necessary valves and detector equipment, all as deemed required by the Director, shall be made by the City and the full cost of this work shall be borne by the owner or owners of the property so served. [Ord. 2015-1 § 5, 2015; Ord. 2009-24 § 1 (Exh. A), 2009; Ord. 2205 § 1, 2008; Ord. 2181 § 1, 2007; Ord. 2108 § 1, 2005; Ord. 2071 § 2, 2004; Ord. 2063 § 1, 2003; Ord. 1942 § 2, 1997; Ord. 1930 § 2, 1996; Ord. 1839 § 2, 1993; Ord. 1714 §§ 4, 5, 6, 1990; Ord. 1578 § 2, 1986; Ord. 1399 § 3, 1983; Ord. 1357 § 3, 1982; Ord. 1252 § 2, 1980; 1956 Code § 3-501, § 701. Formerly 13.20.030.]

13.20.025 Intermittent service – Abandonment – Reinstatement – Fees.

A. Intermittent Service – Fees. Property owners may request to have their water and/or sewer service turned off for intermittent periods. Any property owner so requesting such temporary termination of service, except for needed repairs to be made during normal City business hours, shall complete and sign an application provided by the City Clerk and shall pay a turn-off/turn-on fee in the amount set forth in SMC 2.02.020. It is further provided, that the utility charges against said property must be paid current to receive such intermittent turn-off and turn-on.

B. Abandonment of Utility Service. In the event sewer and/or water service is shut off for nonpayment of delinquent utility charges, and the property owner has failed to pay in full all accrued water and/or service charges for a period of one year after such shut-off, the City may declare such water service and/or sewer service abandoned in accordance with the following procedure. To declare abandonment of any service, the City shall mail, by certified mail, return receipt requested, or personally deliver to the property owner a notice of proposed abandonment. Such notice shall state that, unless all accrued unpaid service charges are paid in full within 30 days of the date of such notice, the City shall declare such service abandoned and cause notice of abandonment to be filed and recorded against such property in the Yakima County Auditor's Office. If the owner of the property intentionally abandons such services and delivers written notice thereof to the City, the City shall thereupon file and record a notice of abandonment with the Yakima County Auditor's Office. Abandonment of such service shall be deemed effective upon such filing and recording with the Yakima County Auditor's Office. Upon abandonment, the City may remove any utility service meters or fixtures serving the property.

C. Reinstatement of Service after Abandonment. If any person desires to reinstate any utility service which has been abandoned pursuant to this section, such request shall be deemed a request for new sewer and/or water utility service installation and hookup. Prior to such reinstatement of service, the person requesting such reinstatement shall first pay in full all applicable hookup and connection charges then current pursuant to SMC 2.02.020, including costs and charges for new service meter and fixtures regardless of whether or not such meter and fixtures have previously been removed by

the City and excluding any applicable equity fee defined in SMC 2.02.020, as said sections exist or are hereinafter amended. [Ord. 2009-24 § 1 (Exh. A), 2009; Ord. 2205 § 1, 2008; Ord. 2181 § 1, 2007; Ord. 1989 § 1, 1999; Ord. 1902 § 1, 1995; Ord. 1839 § 3, 1993; Ord. 1714 §§ 7, 8, 9, 1990; Ord. 1594 § 1, 1987. Formerly 13.20.035.]

13.20.030 Water – Service charge billings to be determined by meter size.

Billings for the service charge shall be determined by the meter size deemed by the Director as necessary to efficiently meter water delivered to the water customer. [Ord. 2009-24 § 1 (Exh. A), 2009; Ord. 2205 § 1, 2008; Ord. 2181 § 1, 2007; Ord. 1252 § 2, 1980; 1956 Code § 3-501, § 701. Formerly 13.20.040.]

13.20.040 Water – Service rates outside City limits.

Water service outside the City corporate limits shall be furnished where approved by an outside utility agreement at a rate of one and one-half times that stipulated for inside the City corporate limits. [Ord. 2009-24 § 1 (Exh. A), 2009; Ord. 2205 § 1, 2008; Ord. 2181 § 1, 2007; Ord. 1252 § 2, 1980; 1956 Code § 3-501, § 701. Formerly 13.20.050.]

13.20.050 Reinstatement of water service after turning off for nonpayment.

In addition to the late fee penalty assessed pursuant to SMC 2.02.020, the property owner shall be required to pay in full all accrued and unpaid amounts due and owing on said utility account prior to reinstatement of utility service, plus a fee in the amount as set forth in SMC 2.02.020 for turn-off/turn-on of the utility service. The fee for utility turn-off/turn-on may be adjusted annually by the City Manager to reflect adjustments or changes in maintenance and operations costs of the water utility; provided, however, that no annual increase shall exceed six percent without prior approval of the City Council. In the event such rate is modified, the City Manager shall post the new rate at the offices of City Hall and may distribute or publish such new rate as deemed appropriate to advise the public. [Ord. 2009-24 § 1 (Exh. A), 2009; Ord. 2205 § 1, 2008; Ord. 2181 § 1, 2007; Ord. 2136 § 1, 2006; Ord. 2108 § 2, 2005; Ord. 1990 § 1, 1999; Ord. 1252 § 2, 1980; 1956 Code § 3-501, § 701. Formerly 13.20.060.]

13.20.060 Water – Tampering with turn-on valve prohibited – Penalty for violation.

No person shall be permitted to tamper with the water turn-on valve. Any person found guilty of violating this provision shall be deemed guilty of a misdemeanor. [Ord. 2009-24 § 1 (Exh. A), 2009; Ord. 2205 § 1, 2008; Ord. 2181 § 1, 2007; Ord. 1510 § 1, 1985; Ord. 1252 § 2, 1980; 1956 Code § 3-501, § 701. Formerly 13.20.070.]

13.20.070 Water – Multiple unit charges.

A. General. Except as provided in subsection (C) of this section, in the case of hospitals, apartments, cabins, hotels and business houses, where such units are so situated on property that the individual unit cannot lawfully be deeded as separate property, such units shall be classified as multiple units and are not to be considered as individual units. Also included in this classification of multiple unit shall be the Sunnyside Housing Authority situated on lands owned by said Authority, where water mains within such housing project have been installed and are maintained by said Authority or its predecessor.

B. Multiple Unit Charges. Charges for such multiple unit customers listed above shall be billed to one applicant for the entire unit and consist of a service charge for the applicable meter size serving the overall unit, as shown on the schedule in SMC 13.20.020, plus a charge for water delivered.

C. Manufactured Home Parks.

1. **New Manufactured Home Parks.** Each manufactured home park constructed after January 31, 2005, shall include separate individual water, sewer and utility service connections for each manufactured home or other residential unit or structure within the park, all pursuant to SMC 16.12.190, Utilities (for mobile home parks). Utility billings shall be sent to the resident or tenant of each manufactured home or other residential unit in the park unless the owner of the park requests in writing that such billing or billings be tendered to such owner. In all cases, any unpaid bills by tenants are the responsibility of the owner of the manufactured home and shall become a lien on the manufactured home if unpaid. Billings for water provided through meters installed by the owner of the park for purposes of providing water to playgrounds, parks, landscape areas or other areas intended for the benefit of park residents or the public shall be sent to the owner of such park for payment.

2. **Existing Manufactured Home Parks.** Each manufactured home park existing as of February 1, 2005, shall have the option to maintain the existing billing procedures authorized pursuant to subsection (B) of this section or to install separate individual meters and utility connections serving each manufactured home or other unit within the park. If the latter option is implemented, the manufactured home park shall be governed by subsection (C)(1) of this section and the provisions of SMC 16.12.190, including but not limited to the following procedures: The City shall provide for or perform water meter reading for such meters installed. The resident of the manufactured home or other residential unit in the park shall be directly responsible for payment of the water and other utility charges (utility bill) unless the owner of the manufactured home or other residential unit specifically in writing requests such billing be made to the owner of such manufactured home or other residential unit. The City shall bill the owner and/or resident of such manufactured home or other residential unit served by the utility connection in accordance with the billing rates, schedule and procedures of the City. Billings for water provided through any meters serving playgrounds, parks, landscape areas or other areas intended for use by park residents or the public shall be sent to the owner of the park for payment. The City shall also read the master meter serving the park. Billing for any City water flowing through such master meter in excess of the water accounted through the total water flowing through the individual meters in any billing cycle shall be delivered to, and paid by, the owner of the park. [Ord. 2009-24 § 1 (Exh. A), 2009; Ord. 2205 § 1, 2008; Ord. 2181 § 1, 2007; Ord. 2096 § 2, 2005; Ord. 1252 § 2, 1980; 1956 Code § 3-501, § 701. Formerly 13.20.080.]

13.20.080 Water – Joint users charges.

Where two or more individual-unit customers are served by a single meter, and such service has been authorized in view of special considerations by the Director, water bills shall be computed separately for each such individual unit as follows:

A. A monthly service charge, consisting of the meter charge and the consumption charge, shall be made for each individual unit based upon the meter size deemed by the Director as necessary to efficiently meter water delivered to the individual unit as if that individual unit were independently connected to the water system.

B. A minimum of 300 cubic feet of water shall be allotted to each individual unit and included in the minimum meter charge.

C. Any excess water usage exceeding the aggregate of a 300-cubic-foot minimum times the number of individual units shall be divided equally to each individual customer and billed in accordance with the applicable rate schedule set forth in SMC 2.02.020.

D. The billing shall be tabulated as described above and the totaled amount billed to the one applicant responsible for the joint users serviced from a single meter; and, in all such cases, all such individual users shall be jointly and severally liable for the excess of water used above such minimum amount and be jointly affected by any prohibition herein as to use by others and, in case of delinquency of one such joint user, the City shall have the same remedy as though all such joint users were delinquent. [Ord. 2015-1 § 5, 2015; Ord. 2009-24 § 1 (Exh. A), 2009; Ord. 2205 § 1, 2008; Ord. 2181 § 1, 2007; Ord. 1252 § 2, 1980; 1956 Code § 3-501, § 701. Formerly 13.20.090.]

13.20.090 Public sewer service – Schedule A – Monthly.

The charge for public sewer service to locations within the City limits shall be upon the applicable following schedule; provided, that in the event billings are made in alternate months, the following charges are to be doubled:

A. Charges for sewer services shall be based upon monthly water readings, except as otherwise provided in this section. The monthly sewer billings shall be in accordance with the table as set forth in SMC 2.02.020.

B. All customers whose water consumption would be affected by the use of water for irrigation purposes shall be charged an average monthly sewer rate, for the months of March through November, based upon the monthly average for water consumption readings for the preceding months of December through February, according to the rates set forth in SMC 2.02.020.

C. Those customers who do not receive City domestic water service but who receive City sewer service, so that a discharge rate cannot be determined from water consumption, shall pay a flat rate as set forth in SMC 2.02.02.F. Larger dischargers will be required to install a flow meter to determine sewer charges.

D. Commercial/Industrial Users. All commercial customers and processing plant water users, whether minor or significant, whose waste discharge contains a BOD (biochemical oxygen demand) strength not to exceed 300 milligrams per liter shall pay monthly sewer charges as set forth in SMC 2.02.020.

BOD tests may be conducted by the City at any time, and the customer shall cooperate with the City in scheduling and providing for such tests. Waste discharge that exceeds 300 mg/l of BOD and/or TSS shall incur fees that are mathematically adjusted to coincide with the rates listed in SMC 2.02.020.

E. Customers who have their water turned off for intermittent periods, with no water consumption being reflected in their monthly readings, shall pay a minimum sewer charge as set forth in SMC 2.02.020. It is provided, however, that in order for a customer to receive this reduced minimum sewer rate where water service is temporarily terminated, the water must be turned off during the entire billing period. Otherwise, the customer shall pay the rate as would otherwise apply. For the purposes of this subsection, "billing period" means the time from the last water meter reading to the current water meter reading.

F. Industrial users may be billed for sewer service on the basis of the measured discharge flows rather than water usage. Where water consumption cannot be reasonably used to determine sanitary sewer discharge in manufacturing plants and food processing plants, an estimate of the average number of employees shall be provided to the City and a charge be made calculated, based on the minimum monthly fee plus a monthly fee per employee as set forth in SMC 2.02.020.

After the initial determination, a new determination of employee numbers and corresponding monthly sewer charge shall be made annually, based upon the previous average annual employment level.

G. Where the code requires either a grease trap or a sedimentation trap, there shall be added to the monthly sewer bill a surcharge of \$24.52. [Ord. 2010-8 § 1, 2010; Ord. 2009-24 § 1 (Exh. A), 2009; Ord. 2205 § 1, 2008; Ord. 2181 § 1, 2007; Ord. 2131 § 1, 2006; Ord. 2071 § 3, 2004; Ord. 2063 § 1, 2003; Ord. 1989 § 3, 1999; Ord. 1839 § 4, 1993; Ord. 1714 §§ 10, 11, 12, 1990; Ord. 1594 § 1, 1987; Ord. 1514 § 1, 1985; Ord. 1479 § 1, 1984; Ord. 1468 § 1, 1984; Ord. 1399 § 4, 1983; Ord. 1357 § 4, 1982; Ord. 1261 §§ 1 – 4, 1980; Ord. 1252 § 3, 1980; 1956 Code § 3-501, § 702. Formerly 13.20.100.]

13.20.100 Public sewer service – Charges outside of City limits.

The monthly charges for sewer service to property located outside of the corporate limits of the City, served in whole or in part by public sewer, shall be according to the schedule provided in SMC 2.02.020, increased by 25 percent. It is provided, however, that the rate for qualified low-income senior citizen residents receiving sewer services to property outside of the City limits shall not be increased by said 25 percent. [Ord. 2009-24 § 1 (Exh. A), 2009; Ord. 2205 § 1, 2008; Ord. 2181 § 1, 2007; Ord. 1594 § 2, 1987; Ord. 1252 § 3, 1980; 1956 Code § 3-501, § 702. Formerly 13.20.110.]

13.20.110 Low-income senior citizen and low-income disabled citizen special utility rates – Eligibility – Application.

A. Minimum Age – Senior Citizen. A person who wishes to apply for the low-income senior citizen special utility rate must be 62 years of age or older on or before the

thirty-first of January of the year of his or her application. Proof of age must be presented at the time of application.

B. Proof of Disability – Disabled Citizen. A person who wishes to apply for the low-income disabled citizen special utility rate must qualify for and be entitled to receive special parking privileges established pursuant to RCW 46.16.381(1)(a) through (f), or be blind as defined in RCW 74.18.020(4). Proof of such disability must be presented at the time of application.

C. Utility Account. At the time of the application, the person making the application must reside on the property being served and the utility account must be in the applicant's name. Persons in federally subsidized housing are not eligible for low-income senior citizen and low-income disabled citizen special utility rates.

D. Low Income. A person who wishes to apply for a low-income senior citizen or low-income disabled citizen special utility rate, in addition to the above, must qualify for and be entitled to the exemption from regular real property taxes as set forth in RCW 84.36.381(5)(b)(i) or (ii). Proof of such exemption must be presented at the time of application. Appropriate tax statements issued by Yakima County establishing such exemption shall be satisfactory proof of eligibility for the special utility rate.

E. Application and Processing. The City Manager of the City shall be authorized and empowered to implement the procedures for application and processing of requests for low-income senior citizen and low-income disabled citizen special utility rates and to adjust the discount rate as set forth in SMC 2.02.020. The application for low-income senior citizen or low-income disabled citizen special utility rate must be filed annually with the City Finance Department prior to the thirty-first of March of each year and, if approved, shall be effective for the year of application until the following thirty-first of March. Any filing of an application after the thirty-first of March of any year shall apply only to utility accounts mailed after the date of filing and shall not be applied retroactively.

F. Discount Rate. The low-income senior citizen and low-income disabled citizen special utility rate shall consist of the applicable water and sewer rates set forth in SMC 2.02.0200.F adjusted and reduced by the following amounts:

The amount of reductions shall be deducted from the utility bills otherwise payable by the qualified low-income senior citizen or low-income disabled citizen. [Ord. 2010-9 § 1, 2010; Ord. 2009-24 § 1 (Exh. A), 2009; Ord. 2205 § 1, 2008; Ord. 2181 § 1, 2007; Ord. 2110 § 1, 2005; Ord. 2016 § 1, 2000; Ord. 1714 § 13, 1990. Formerly 13.20.120.]

13.20.120 Water system equity fees – Meter installation costs.

A. Definitions. For the purpose of this section, the following definitions apply:

1. "Residential" means any building or structure designed for occupancy by one or more families.

2. "Commercial" means retail and wholesale business for home, farm, construction, business, food and auto-related purchases, including but not limited to those uses of property described in SMC 17.36.020, 17.40.020, and 17.44.020, and for purposes of this section includes churches.

3. "Industrial" means those buildings and facilities used for major manufacturing, assembly and processing plants; small manufacturing, processing, assembly or storage facilities, including but not limited to those uses described in SMC 17.56.020 and 17.60.020.

B. Water System Equity Fees. A water system equity fee intended to provide the customer an equitable "buy-in" to the existing water system shall be paid to the City by persons, firms, companies, associations, organizations or other customers at the time of the application for connection to the City's water system as set forth in SMC 2.02.020.

C. Water Meter Installation Fee. In addition to the water system equity fee, the applicant for water service from the City of Sunnyside shall pay a water meter installation connection charge, intended to cover the cost to the City of Sunnyside for installation of water lines, meters and other facilities to provide water service to the applicant's property, as set forth in SMC 2.02.020.

D. Adjustment of Fees.

1. Annual Review by City Council. The schedule of water system equity fees and meter installation fees set forth in SMC 2.02.020 may be reviewed annually by the City Council to determine if the rates need adjustments. For the purpose of such adjustments, the City Council may use the Engineering News-Record Construction Cost Index for Seattle published by McGraw-Hill, or any other additional information which may give actual costs of construction in the area of Sunnyside.

2. Adjustment of Meter Installation Fees by Public Works Director. Notwithstanding the above, the Public Works Director may reduce the meter installation fee described in SMC 2.02.020 by any amount deemed appropriate by the Public Works Director, in any case for which the Public Works Director determines that such reduction is equitable. In making any determination to reduce the applicable meter installation fee in any particular case, the Public Works Director shall consider the following factors:

- a. The amount and cost of water meter installation work performed, or to be performed, by the applicant;
- b. The amount of work and cost of any water meter installation work to be performed by the City; and
- c. Any other factor deemed reasonable and appropriate by the Public Works Director.

Reduction of the water meter installation fee in any particular case or application shall not constitute a waiver of the City's right to impose and require the full water meter installation fee for any other connection to the City's water system. [Ord. 2009-24 § 1 (Exh. A), 2009; Ord. 2205 § 1, 2008; Ord. 2181 § 1, 2007; Ord. 1837 § 1, 1993; Ord. 1750 § 1, 1991; Ord. 1733 § 1, 1991; Ord. 1509 § 1, 1985; Ord. 1322 § 1, 1981; Ord. 1309 §§ 1, 2, 1981; Ord. 1252 § 2, 1981; 1956 Code § 3-501, § 705. Formerly 13.20.130.]

13.20.130 Sewer system equity fees.

Sewer connection equity fees shall be charged according to the schedule for connecting to the City's sanitary sewer as set forth in SMC 2.02.020.

A. Definitions. For the purposes of this section, the following definitions apply:

1. "Single-family" residential dwelling unit means a detached building designed for occupancy by one family.
2. "Duplex" means a detached building designed for occupancy exclusively by two families living independently of each other.
3. "Multiple dwelling unit" means a building or portion thereof designed as a residence for three or more families living independently of each other.
4. "Apartment house" means a building or portion thereof used or intended to be used as a home by three or more families or householders living independently of each other, in separate apartments, and containing three or more dwelling units.
5. "Mobile home park" means any tract of land used or designated to accommodate two or more automobile trailers or mobile homes.
6. "Commercial" means large-site retail and wholesale business such as shopping centers for home, farm, construction, business, food and auto-related purchases, including but not limited to those uses of property described in SMC 17.36.020, 17.40.020 and 17.44.020 and, for purposes of this section, includes churches.
7. "Industrial" means those buildings and facilities used for major manufacturing, assembly and processing plants; small manufacturing, processing, assembly or storage facilities, including but not limited to those uses described in SMC 17.56.020 and 17.60.020.
8. "Domestic wastewater" means water carrying human wastes, including kitchen, bath and laundry wastes, from residences, buildings, industrial establishments or other places.
9. "Industrial wastewater" means water or liquid-carried waste from industrial or commercial processes, as distinct from domestic wastewater. These waters may result from any process or activity of industry, manufacture, trade or business, from the development of any natural resource, or from animal operations such as

feedlots, poultry houses or dairies. The term includes contaminated storm water and also leachate from solid waste facilities.

B. Equity Fee Schedule is located at SMC 2.02.020.

C. Additional Connection Fee for Industrial and Commercial Connections is located in SMC 2.02.020.

D. Annual Review of Fees. The schedule of charges may be reviewed annually for inflation, and adjusted, if necessary, to maintain an equitable fee structure. For the purpose of this adjustment, the City Council may use the Engineering News-Record Construction Cost Index for Seattle, as published by McGraw-Hill. [Ord. 2009-24 § 1 (Exh. A), 2009; Ord. 2205 § 1, 2008; Ord. 2181 § 1, 2007; Ord. 1794 § 1, 1992; Ord. 1627 § 1, 1988; Ord. 1509 § 1, 1985. Formerly 13.20.140.]

13.20.140 Billings of water, sewer and garbage service.

The monthly charge for water, sewer and garbage service shall be billed to the owner of record or purchaser of record of the serviced property, who shall be responsible for the payment thereof. It shall be the duty of each owner or purchaser of said serviced property to maintain said charges in a current paid condition.

In addition to other remedies available to the City for collection of its charges and enforcement of its liens for water, sewer and garbage services, the City shall charge a penalty on the unpaid balance of delinquent water, sewer and garbage accounts at the rate as set forth in SMC 2.02.020, which shall be imposed in the following manner: The due date for water, sewer and garbage accounts is the close of business on the twentieth day of each month, and unpaid accounts become delinquent thereafter. If payment is not received by the close of business on the twentieth day of such month, the late payment shall be charged on the unpaid balance of the delinquent account until the total of such charges and penalty have been paid in full. In the event of suit by the City to collect said charges and penalty, the Court shall award the City its reasonable attorneys' fees and costs incurred thereby, together with interest at the rate of 12 percent per annum on the unpaid balance of said account charges and penalties.

Billing invoices for such accounts shall include a statement substantially conforming to the following:

Bills are due and payable by the close of business on the 20th day of each month and become delinquent thereafter and shall be assessed a late payment penalty as set forth in SMC 2.02.020 if not paid by the close of business on the 20th day of such month.

[Ord. 2009-24 § 1 (Exh. A), 2009; Ord. 2205 § 1, 2008; Ord. 2181 § 1, 2007; Ord. 2136 § 2, 2006; Ord. 2108 § 3, 2005; Ord. 2017 § 1, 2000; Ord. 1992 § 1, 1999; Ord. 1990 § 2, 1999; Ord. 1509 § 4, 1985. Formerly 13.20.150.]

13.20.150 Fire hydrant meters – Rental agreement – Fees.

A. General. The Department of Public Works may enter into rental agreements for use of the City's fire hydrant meters, to be used by the renter to assist in any construction project or other project approved by the City, subject to the conditions provided below.

B. Hydrant Meter Rental Agreement – Terms and Conditions. Any person desiring to rent any available fire hydrant meter shall sign a written hydrant meter rental agreement. The hydrant meter rental agreement shall provide that the meter assembly shall be used as per instructions to measure all water used, that all water used and daily rental fees shall be billed to the user on a monthly basis and such fee shall not be prorated for periods less than one-month increments. Water will be billed at the current City water usage rate. All deposits paid by the user will be retained until all bills are paid in full and the meter is returned to the City in proper working condition. Such agreement shall further provide that only City personnel are authorized to make any adjustments, repairs or modifications to the meter assembly. If the assembly is lost, damaged or altered by the user, the user shall be responsible for any necessary repair or replacement costs, which shall be deducted from the deposit. The contractor shall notify the Public Works Department upon completion of the project to retrieve the meter for final billing.

The hydrant meter rental agreement shall also require other information deemed necessary and appropriate by the Department of Public Works in order to facilitate the rentals of such hydrant meters.

C. Fees. Fees, as set forth in SMC 2.02.020, shall be charged for any hydrant meter rental agreement. All fees will be adjusted annually based upon the consumer price index.

[Ord. 2009-24 § 1 (Exh. A), 2009; Ord. 2205 § 1, 2008; Ord. 2181 § 1, 2007; Ord. 2134 § 1, 2006; Ord. 1992 § 1, 1999; Ord. 1944 § 1, 1997; Ord. 1855 § 1, 1994. Formerly 13.20.160.]

13.20.160 Pretreatment charges and fees.

The City may adopt reasonable fees for reimbursement of costs of setting up and operating the City's pretreatment program, which may include:

- A. Fees for industrial user discharge contract applications including the cost of processing such applications.
- B. Fees for monitoring, inspection and surveillance procedures including the cost of collection and analyzing a user's discharge and reviewing monitoring reports submitted by users.
- C. Fees for reviewing and responding to accidental discharge procedures and construction.
- D. Fees for filing appeals.

E. Other fees as the City may deem necessary to carry out the requirements contained herein. These fees relate solely to the matters covered by this program and are separate from all other fees, fines and penalties chargeable by the City.

F. Contract Fees. Contracted significant industrial users shall be charged a fee as set forth in SMC 2.02.020, per year.

G. Sampling Fees. The expenses for annual sample analysis required by the industrial user discharge contract will be charged to the user based on current outside analytical lab fees. Any user establishing a pattern for noncompliance, or having a history of noncompliance, or suspected of being in noncompliance, may require additional monitoring visits as deemed appropriate by the City. Any additional analysis performed which detects noncompliance will be billed directly to the user.

H. A discharge authorization shall be as set forth in SMC 2.02.020 for a one-time batch discharge.

I. Contract transfer fee is located at SMC 2.02.020.

J. Contract modification fee is located at SMC 2.02.020. Contract modification fees will only be charged in a case where changes in the user's operation require the modification or when the user requests a modification.

K. High Strength Waste Fees. Users having effluent concentrations of BOD in excess of 300 mg/l and/or TSS in excess of 300 mg/l, and/or FOG concentrations in excess of 100 mg/l, may be billed a high strength waste surcharge. Surcharge rates will be established by the City and based on cost of conveyance and treatment in the POTW. All fees or charges will be collected by direct billing. Unless the City has been made aware of extenuating circumstances that would prevent prompt payment, all fees are payable within 30 days of the billing. Fees past due will be considered a violation of this chapter. Users not paying fees within 60 days of the billing period will be subject to termination of service. The City may change existing or adopt new fees. [Ord. 2009-24 § 1 (Exh. A), 2009; Ord. 2205 § 1, 2008; Ord. 2181 § 1, 2007; Ord. 1992 § 1, 1999. Formerly 13.20.170.]

13.20.170 Severability.

If any provision of the program is invalidated by any court of competent jurisdiction, the remaining provisions shall not be affected and shall continue in full force and effect. [Ord. 2009-24 § 1 (Exh. A), 2009; Ord. 2205 § 1, 2008; Ord. 2181 § 1, 2007; Ord. 1992 § 1, 1999. Formerly 13.20.180.]

13.20.180 Conflicts.

All other ordinances and parts of other ordinances inconsistent or conflicting with any part of the program are hereby repealed to the extent of the inconsistency or conflict. [Ord. 2009-24 § 1 (Exh. A), 2009; Ord. 2205 § 1, 2008; Ord. 2181 § 1, 2007; Ord. 1992 § 1, 1999. Formerly 13.20.190.]